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In the Name of Allah Most Gracious
Most Merciful

AUG 24 2021

JUDGE KAPLAN'S CHAMBERS

FROM: Mohamed al-Owhali (42371054)

TO: Judge Kaplan

Re: legal violation relating to force feeding resulting from hunger strike, and relative background

1. I was sentenced in this Court on 10/18/2001 in Case No. 98-cr-1023 (US v. Bin Laden, SDNY).
2. I'm currently in administrative detention in the CMU SHU, in USP Marion, IL.
3. I'm currently on hunger strike, subject to Nasogastric involuntary feeding daily. page 7 of Bop program Statement on hunger strikes includes that "a written report [involuntary feeding] shall be submitted to ... The warden shall provide prompt notification of any involuntary treatment under this program statement to the sentencing judge, with an explanation of the background of and reasons for the treatment."
4. I don't know exactly what the court's role or authority is regarding this notification, but I'm sure there are legal ground for such notification.
5. There are legal violation that took place with the Force feeding, especially on Monday 7/19/2021. And I expect the Court desires to receive accurate information & background regarding the force feeding. And I naturally expect that esp Marion Warden Daniel Sprout will not inform the Court that he violated the law. For these reasons, I saw it incumbent upon me to present such facts myself, just as I saw it necessary to present the background & reason for the hunger strike. I believe this will fulfill the goal of notifying the Court of the hunger strike. I'm sure the Court wish to know if it has received false information as this definitely conflicts with purpose of being notified of hunger strike & force feeding.
6. On Monday 7/19/2021, 12/9/1442 of Islamic calendar, it was the day of Arafa, this the day Hajj pilgrims stand at the plain of Arafa, and those not present fast in ~~observing~~ observance, abstaining from oral intake of food and drink, from dawn to dusk. Since I've been forcefed beginning Thursday 6/30/2021, it would be impossible for me to fast and be force fed that day, but I have the choice of drinking the Encure voluntary in other than the fasting hours, in the same amount fed to me through the tube, and this would not break my hunger strike. I did this previously at ADX for the entirety of Ramadan of 2002.
7. Drinking the Nutritional Supplement in the same amount force fed to me doesn't violate the hunger strike, either in Marion or anywhere else. This is why each morning and each night, medical personnel offer me the opportunity to voluntarily drink the Nutritional Supplement & without breaking the hunger strike. This reported in the Medical room immediately prior to each force feeding. Each time on camera, prior to each feeding the nurse ask me:

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- I'm offering you to drink the Nutritional Supplement voluntary rather than using the Nasal tube. Do you prefer this? Are you aware that use of nasal tube can have dangerous effect such as death if the Ensure mistakenly enters your ~~lungs~~ lungs?
- Are you aware that voluntarily drinking the Nutritional Supplement, does not break your hunger strike?
- 9- for the aforementioned reasons in #8, especially that force feeding is dangerous (for example one of my co-defendant in ADX have required intensive care due to errors in force feeding leading to internal bleeding) and expensive and demanding, the operation requiring ten staff, to complete it require reporting after ward it require medical person two for the operation it self, and one for monitoring observation, and write after that, and it aquay time of the leadership of Medical Unit..., offering the chance to voluntarily drink the Nutritional Supplement is advisable alternative for medical staff, as well as prison administration. All of this is in addition to the fact that force feeding lead to accomplish lockdown of all inmates in the unit there for by freezing all daily activities for hours.
- 10- This why I informed multiple medical staff of my desire to drink the Nutritional Supplement any time before during Monday 7-19, so that I avoid force feeding that day so that I could fast. So they sent an e-mail to the head of the Medical Unit who said there is no problem but design is with clinical director, Dr. Poiss, Dr. Poiss email back that if I was force fed the previous day then I drank the nutrition Supplement that night, there will be no medical need to force feed me, in the next day so I will not be force fed. Medical staff informed me this on Saturday 7/17, and the nurse had with him a copy of the e-mail to provide to the ~~detention~~ Lieutenant.
- 11- on the night of 7/18, I ~~voluntarily~~ drank the Nutritional Supplement voluntarily
- 12- on the morning of Monday 7/19, after my medical exam, I was told there will be no force feeding that day, that the Lieutenant ~~had~~ had been informed of this. But at 8:00 am, the guards informed me that there would be force feeding that day.
- I told them that I was fasting and would have to vomit out the Ensure. So extra time was to prepare, and the observation period was all in the Medical room, and two medical observers were needed for 90 minutes.
- 3- After the feeding SHLT. C. Brooks told me that if I want to fast or religious fast, I should end my hunger strike.

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14- More than one Staffer informed me that the ~~doctor's~~ decision to feed me came not from the Medical team but from the Warden, and that guards were shocked that the warden would go against the doctor. Staffers said that Lieutenant and the Captain all tried to discourage the warden, but he insisted on this.

15- clearly, the prison administration has no grounds for force feeding except for a medical reason. In fact, it's not in ~~their~~ their interests to do so because:

- It attracts attention of outside agencies
- It costs money and time
- It keeps inmates locked in their cells, lead to inmate complaints for being locked down for so long.

16- Clearly, this warden used religious activities as a mean of pressuring me to stop my hunger strike. Likewise, he used my legal work to the same end. On Monday 7-19, he ordered that every thing be removed from my cell, including religious books and the Quran and legal material even though I was in the midst of filing for Al-Owheli vs. USA (20-3174) All of this to pressure me stop my hunger strike, in violation of RFRa and other laws.

17- therefore whatever the legal reason of the notification of the force feeding or treatment, that reason will not be ~~achieved~~ achieved until it know the true about this matter, not least due to the fact that this matter is on going, because there are multiple days of the year I'm religiously encouraged to fast as a muslim, such as 8/19 - which corresponds to 1-10-1443 of the Islamic Calender, it considered in Islamic tradition as the day Allah saved Moses and the Israelites from Pharaoh. So what happen on 7-19 will possibly repeated again.

18- The use of religious practices and matters against muslims inmates is something practised historically at this institution and is directly tied to my current hunger strike, as basis for referring me to the SMU then ADX; two other inmates; Tarek Mehanna and Donald Morgan. ~~are also~~ are also on hunger strike for the same reason, we all file OTG letters to the court about the matters, I don't have copy of either.

19- My English is weak so I will delay detailing point 18 so that I can rush to submit this now.

20- Again I'm not sure exactly what the Court role in this matter, but the Court must obtain accurate information about hunger strike and force feedings and relevant background, I believe the Court effort to know the true has a practical effect on halting any legal violation in the process. I believe I've presented sufficient information to

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To show the court that it has not obtained accurate information until now regarding this issue.

by:

Mohammed R. Al-Owheili

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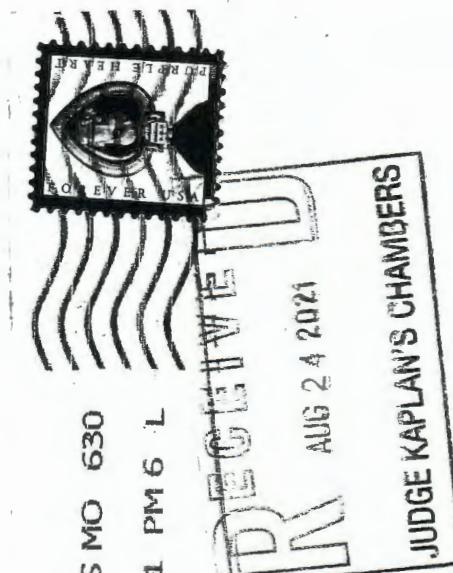
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